

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE

NICHOLAS KING,)	
)	
Plaintiff,)	
v.)	
)	Civil Action No. 3:10-cv-606-GCM-DLH
THE LINCOLN NATIONAL LIFE)	
INSURANCE COMPANY and LINCOLN)	
NATIONAL CORPORATION,)	
)	
Defendants.)	

AMENDED ORDER GRANTING JOINT MOTION TO EXTEND DEADLINES

The Defendant, The Lincoln National Life Insurance Company (“Lincoln National”), and the Plaintiff, Nicholas King (“Plaintiff”), filed their Joint Motion to Extend Deadlines, requesting the Court to extend the deadline for the parties to complete a mediated settlement conference through and including September 15, 2011, and the deadlines to file their respective cross-motions for summary judgment on the ERISA Administrative Record through and including October 1, 2011, for the parties to file their responses to the opposing party’s cross-motion for summary judgment through and including October 15, 2011 and any replies through and including October 31, 2011.

Based on its review of the Joint Motion and the entire record in this cause, the Court finds sufficient cause to grant the parties’ Joint Motion and to extend the deadline for the parties to complete a mediated settlement conference through and including September 15, 2011 and to extend the deadlines for the parties to file their respective cross-motions for summary judgment on the ERISA Administrative Record through and including October 1, 2011, for the parties to

file their responses to the opposing party's cross-motion for summary judgment through and including October 15, 2011 and for the parties to file any replies through and including October 31, 2011. It is, therefore,

ORDERED, that the deadline for the parties to complete a mediated settlement conference is extended through and including September 15, 2011.

It is further **ORDERED**, that the deadline for the parties to file their respective cross-motions for summary judgment on the ERISA Administrative Record is extended through and including October 1, 2011, the deadline for the parties to file their responses to the opposing party's cross-motion for summary judgment is extended through and including October 15, 2011 and the deadline for the parties to file any replies is extended through and including October 31, 2011.

Signed: July 29, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge



SUBMITTED FOR APPROVAL BY:

/s/ John M. Scannapieco

Nicholas J. Voelker, NC Bar No.: 35841

BRADLEY ARANT BOULT CUMMINGS LLP

100 N. Tryon St., Suite 2690

Charlotte, NC 28202

(704) 338-6000 – Telephone

(704) 332-8852 – Facsimile

John M. Scannapieco, appearing pursuant to Local

Rule 83.1(d)

Tenn. Reg. No. 14473

BRADLEY ARANT BOULT CUMMINGS LLP

1600 Division Street, Suite 700

Nashville, Tennessee 37203

(615) 252-2352 – Telephone

(615) 252-6352 – Facsimile

jscannapieco@babco.com

Attorneys for the Defendant, The Lincoln National

Life Insurance Company

/s/ Julie S. Fosbinder (w/ permission JS)

Julie H. Fosbinder, NC Bar No.: 19400

FOSBINDER LAW OFFICES

501 East. Morehead Street, Suite One

Charlotte, NC 28202

(704) 333-1428 – Telephone

Scott Roberts, NC Bar No.: 21747

THE ROBERTS LAW FIRM, P.A.

302 South York Street

P.O. Box 2335

Gastonia, North Carolina 28053-2335

(704) 865-1271 – Telephone

Attorneys for the Plaintiff, Nicholas King